

CITY COUNCIL
CITY OF WICHITA

KANSAS

City Council Meeting-Workshop
9:30 A.M., June 27, 2006

First Floor Board Room
455 North Main

ORDER OF BUSINESS

- Call to Order
- Approve the minutes of the June 20, 2006 meeting

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated June 26, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Rick W. Brazile	Wal-Mart Supercenter #1507	3030 North Rock Road
<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Gerardo Guzman	La Posada Inc.*	552 South Oliver

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review
and approval.

3. Preliminary Estimates:

- a) Schweiter Park Tennis and Basketball Court Construction - west of Hillside, south of Kellogg. (472-84420/785056/395188) Does not affect existing traffic. (District I) - \$280,000
- b) Water Distribution System to serve Hoover Road & 21st Street North - north of 21st Street North, east of Zoo Boulevard. (448-89674/735067/470737) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$1,100,000

(Item 3 continued)

- c) Water Distribution System to serve Emerald Bay Addition - west of West Street, north of 21st Street North. (448-90161/735301/470972) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$646,000
- d) Water Distribution System, Phase 1 to serve Emerald Bay Addition - west of West Street, north of 21st Street North. (448-90162/735302/470973) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$200,000
- e) Storm Water Drain #269 to serve Clifton Cove Addition - south of 63rd Street South, west of Clifton. (468-84024/751421/485312) Does not affect existing traffic. (District III) - \$659,000
- f) Water Distribution System to serve Highland Springs 3rd Addition - south of Central, west of 135th Street West. (448-89829/735319/470990) Does not affect existing traffic. (District V) - \$93,000
- g) Nevada Circle to serve Blue Sky Addition - north of Douglas, west of West Street. (472-84363/ 765987 /490104) Does not affect existing traffic. (District IV) - \$92,880
- h) Cost of construction of Water Distribution System to serve Fox Ridge Addition - north of 29th Street North, east of Maize. (448-90023/735275/470-946) (District V) – Total Estimated Cost \$100,320
- i) Cost of construction of Storm Water Drain #262 to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (468-83996/751398/485-289) (District V) – Total Estimated Cost \$167,310
- j) The cost of construction of Water Distribution System to serve Regency Park 3rd Addition - south of 29th Street North, west of Greenwich. . (District II) (448-90089/735265/470-936) – Total Estimated Cost \$25,900

RECOMMENDED ACTION: Receive and file.

4. Deeds and Easements:

- a) Drainage and Utility Easement dated May 4th, 2006 from Ritchie Development Corporation over a tract of land lying over portions of Lots 14, 15, 17, 20, and 22, Block 2, Reed's Cove Addition, an addition to Wichita, Kansas, (OCA# 607861).
- b) Utility Easement dated April 27th, 2006 from Twenty First Growth LLC, a Kansas limited liability company over tracts of land lying over a portion of Reserve "K", Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas and over a portion of Lot 8, Block 3, Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas (OCA# 607861).
- c) Utility Easement dated May 22nd, 2006 from Friends University AKA The Friends University over a tract of land lying over portions of Lots 28, 30, 32, 34, 36, 38, 40, and 42 on Glenn Street as platted in University Place Addition to Wichita, Kansas, (OCA# 607861).

(Item 4 continued)

- d) Sanitary Sewer Easement dated April 24th, 2006 from Seldin Development & Management Company over a tract of land lying over a portion of Lot 1, East Turnpike Entrance Addition, Wichita, Kansas, and (OCA # 624080).

RECOMMENDED ACTION: Accept documents.

5. Petition: Construct Paving, Sanitary Sewer and Water Improvements in Sierra Hills Addition, east of 127th Street East, north of Pawnee. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

6. Consideration of Street Closures/Uses.

- a) YWCA Sole Sisters 5K Run, Saturday, July 15, 2006, 7:00 a.m.-10:00 a.m.
- Outer, northbound lane of McLean, Lincoln to Maple
 - 500 block of Maple Street, McLean to Sycamore
 - North bound lanes of McLean, Maple to Exploration Place
- b) Celebrate 2006 Lawrence-Dumont Stadium, July 4, 2006, 9:00 a.m.-11:00 p.m.
- McLean from Maple to Douglas

RECOMMENDED ACTION: Approve the request subject to: 1) hiring off-duty certified law enforcement officers as required; 2) obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and 3) Certificate of Liability Insurance on file with the Community Events Coordinator.

7. Street Closure-Hydraulic, south of Southeast Boulevard. (District III)

RECOMMENDED ACTION: Approve the street closure.

8. Report on Claims Allowed for May 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Behrns, Christina	\$129.00
Crawford, Jim	\$808.43
Gilbert, Scott	\$100.00
Godetz, Beverly	\$241.43
Hodges, James	\$119.32
Jordan, Tosha	\$608.82
Ransom, Kendrall	\$4,500.00
Rodriguez, Kris	\$300.00
Stevenson, Brian	\$194.99
Wilson, Sally	\$ 86.73

RECOMMENDED ACTION: Receive and file.

9. Sidewalk and Gas Line Easements across City owned property near Pawnee and McLean in conjunction with the improvement of Pawnee Avenue. (Districts III and VI)

RECOMMENDED ACTION: Approve the easement and authorize the necessary signatures.

10. Second Reading Ordinances: (First read June 20, 2006).

a) Amendments to Section 11.38.155 of the Code of the City of Wichita, Kansas, pertaining to Driving a Commercial Vehicle while Under the Influence of Alcohol and/or Drugs.

An ordinance amending Section 11.38.155 of the Code of the City of Wichita, Kansas, pertaining to driving a commercial vehicle while under the influence of alcohol and/or drugs and the penalties therefore, and repealing the original of said Section.

b) Creation of New Section 11.92.070 of the Code of the City of Wichita, Kansas, pertaining to Prosecution of Juvenile Traffic Offenders in Municipal Court.

An Ordinance creating new Section 11.92.070 of the Code of the city of Wichita, Kansas, pertaining to the prosecution of juvenile traffic offenders in the municipal court, authorized dispositions, and the definition of traffic offense.

c) Creation of New Section 4.04.017 and Amending Sections 4.04.025 and 4.16.130 of the Code of the City of Wichita, Kansas, pertaining to Minors Possessing, Consuming, Purchasing or Obtaining Alcoholic Beverages.

An Ordinance creating new Section 4.04.017 of the Code of the City of Wichita, Kansas, pertaining to minors possessing, consuming, purchasing or obtaining alcoholic beverages, the penalty therefor, use of a preliminary breath test by law enforcement as evidence of violations, and amending Sections 4.04.025 and 4.16.130 of the City Code and repealing Section 4.12.025 of the City Code.

(Item 10 continued)

- d) Amendments to Sections 4.16.135 and 4.16.155 of the Code of the City of Wichita, Kansas, pertaining to Exceptions to Removal of Open Bottles of Alcoholic Liquor from the Licensed Premises of a Club or Drinking Establishment.

An Ordinance amending Sections 4.16.135 and 4.16.155 of the Code of the City of Wichita, Kansas, pertaining to exceptions to the prohibition against removal of open bottles of alcoholic liquor from the licensed premises of a club or drinking establishment and repealing the originals of said Sections.

- e) Creation of New Section 11.38.158 of the Code of the City of Wichita, Kansas, pertaining to Transporting an Open Container of Alcoholic Beverage.

An Ordinance creating new Section 11.38.158 pertaining to transporting an open container of alcoholic beverage and the penalty therefor, and repealing Sections 4.04.030 and 4.12.197 of the Code of the City of Wichita, Kansas.

- f) Amendments to Section 5.16.010 of the Code of the City of Wichita, Kansas, pertaining to Desecrating a Cemetery or Burial Place.

An ordinance amending Section 5.16.010 of the Code of the City of Wichita, Kansas, pertaining to desecrating a cemetery or burial place.

- g) Amendments to Section 6.04.035 of the Code of the City of Wichita, Kansas, pertaining to Cruelty to Animals.

An Ordinance amending Section 6.04.035 of the Code of the City of Wichita, Kansas, pertaining to cruelty to animals.

- h) Amendments to Section 11.42.030 of the Code of the City of Wichita, Kansas, pertaining to Driving while License Suspended, Canceled or Revoked.

An Ordinance amending Section 11.42.030 driving while license suspended, canceled or revoked.

- i) WaterWalk Developer Agreement Amendments. (District I)

1. An Ordinance of the City of Wichita, Kansas (the "City"), approving certain construction and approving and authorizing the execution of a Third Amendment to Development Agreement regarding development of the East Bank, by and between the City and Waterwalk, LLC, all pursuant to Charter Ordinance No. 177.
2. Ordinance of the City of Wichita, Kansas authorizing the issuance of its general obligation bonds to pay certain costs incurred in connection with the Waterwalk Redevelopment Project; and authorizing and providing for the issuance of temporary improvement notes of the city from time to time as funds are needed for such purpose.

- j) IRB Amendments & Partial Purchase Option – Learjet. (District V)

An Ordinance of the City of Wichita, Kansas, prescribing the form and authorizing the execution of a Tenth Supplemental Trust Indenture by and between the Bank of New York Trust Company, N.A., St. Louis, Missouri, as trustee; prescribing the form and authorizing the execution of a Tenth Supplement Lease by and between the City and Learjet, Inc., in connection with the project financed with the city's taxable Industrial Revenue Bonds, Series XII, 1996, Series XIX, 1997, Series XVI, 1998, Series IV, 1999, Series VIII, 2000, Series XV, 2001, Series VII, 2002, Series XII, 2003, Series VII, 2004 and Series IX, 2005 Learjet Inc.).

(Item 10 continued)

- k) ZON2006-16-generally located at the southwest corner of Central and Garnett. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended. (ZON2006-16)

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

11. *SUB2005-118-Plat of Blackstone Addition, located east of 151st Street West and on the north side of 13th Street North. (District V)

RECOMMENDED ACTION: Approve documents and plat; authorize the necessary signatures and adopt the resolutions.

12. *SUB2006-28-Plat of Newman University Third Addition, located south of Kellogg and west of Meridian. (District IV)

RECOMMENDED ACTION: Approve the plat and authorize the necessary signatures.

Workshop to follow